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CHRISTINA SANCHEZ

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINA SANCHEZ, an individual  
Plaintiff,

vs.

CITY OF SAN JOSE; SAN JOSE POLICE  
DEPARTMENT; ROBERT DAVIS in his  
capacity as CHIEF OF POLICE OF THE SAN  
JOSE POLICE DEPARTMENT; and DOES 1  
THROUGH 75, individually and in their official  
capacities as employees of the CITY OF SAN  
JOSE and the SAN JOSE POLICE  
DEPARTMENT; and DOES 76-100  
individually, inclusive,

Defendants.

**CASE NO. C06-06331 JW**

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING DISCOVERY  
DEADLINE**

Plaintiff, by and through her counsel of record, Bryan Vereschagin of Gonzalez & Leigh LLP, and defendants by and through their counsel of record, Michael J. Dodson of the San Jose City Attorney's Office, stipulate and request that the Court's scheduling Order be modified to extend the discovery deadline by 60 days to January 29, 2008.

Plaintiff, a San Jose State University student, filed this lawsuit on October 10, 2006. The lawsuit asserts claims against DOE defendants, officers of the San Jose Police Department, the

1 City of San Jose and Police Chief Robert Davis for constitutional violations under 42 U.S.C.  
 2 1983 in addition to claims for assault and battery. The incident giving rise to plaintiff's claim  
 3 occurred during the 2006 Mardi Gras celebration in Downtown San Jose. At around midnight,  
 4 an incident occurred between plaintiff and certain unidentified San Jose police officers wherein  
 5 plaintiff was shoved into a concrete wall outside City Hall and struck her with a baton in her  
 6 ribcage. Plaintiff suffered a fractured rib.

7 On January 30, 2007, the plaintiff amended the complaint to reflect the dismissal of  
 8 plaintiff's cause of action for negligent hiring. On June 14, 2007 the Court issued a modified  
 9 scheduling order that set the current discovery deadline in this matter for November 30, 2007,  
 10 and the expert discovery deadline for January 19, 2008. The trial is scheduled to be set on April  
 11 21, 2008 at the Preliminary Pretrial Conference.

12 Good cause exists for the parties' joint stipulation to modify the Court's scheduling Order  
 13 where (1) the number of City of San Jose police officers involved is significant and the  
 14 scheduling and taking of their depositions will be time consuming, (2) defendants' counsel,  
 15 Michael J. Dodson, has a full trial calendar that will conflict with the scheduling of the officers'  
 16 depositions, (3) the police officer deponents also have schedules that will conflict with the  
 17 present deposition schedule, (4) plaintiff's lead counsel, Bryan Vereschagin, is currently in trial,  
 18 and expects to be in trial throughout much of the current remaining discovery period, and (5) the  
 19 identity of the police officers involved was only recently revealed to plaintiff's counsel through  
 20 documents recently produced. As such, additional time is necessary to enable the parties to  
 21 properly take needed discovery in this case.

22 For the foregoing reasons, the parties, pursuant to stipulation, hereby respectfully request  
 23 that the deadline for discovery be extended by 60 days, to **January 29, 2007**.

24 DATED: November 13, 2007

GONZALEZ & LEIGH, LLP

25  
 26 By /s/ Bryan Vereschagin  
 27 BRYAN VERESCHAGIN  
 28 Attorney for Plaintiff

1 DATED: November 13, 2007

OFFICE OF THE CITY ATTORNEY, SAN JOSE

3 By /s/ Michael J. Dodson

4 MICHAEL J. DODSON

Attorney for Defendants

6 **ORDER**

8 **IT IS SO ORDERED.** AS MODIFIED BY THE COURT:

9 The Court modifies the parties' stipulation as follows to extend all other scheduling deadlines:

10 Close of All Discovery continued from November 30, 2007 to January 29, 2008

11 Last Date to Hear Dispositive Motions continued from February 25, 2008 to April 07, 2008

12 Preliminary Pretrial and Trial Setting Conference continued from April 21, 2008 to June 09, 2008 at 11:00 AM.

The parties shall file a Joint Preliminary Pretrial Statement by May 30, 2008.

13 Any further stipulation to amend the scheduling order deadline shall address all relevant deadlines.

14 Date: December 5, 2007

